

Sick Leave Compensation Program Facts

- υ WV Code §5-5-6; Senate Bill 695 from 2009 Regular Legislative Session
- υ Voluntary option to be paid for unused sick leave
- υ Available to all eligible employees as listed below:

Regular full-time employees (must be 12 month employees) of the state or any spending unit of the state who is eligible to use their unused sick leave for free or reduced health care in the future.

Employee must have accumulated at least 65 days of unused sick leave.

Employee must have enough sick days so that no less than 50 sick days will remain after receiving payment of sick days requested.

(County Board of Education Employees are not eligible as they are not a full-time employee of the state and not an employee of a spending unit of the state.)

- υ Employee would receive payment for unused sick leave at a rate equal to one quarter of their usual rate of daily pay during the calendar year.
- υ Employee may submit more than one application; however, employees are limited to a lifetime payment of \$25,000.
- υ If an employee was hired prior to July 1, 1988, the salary for which they can receive payment is capped at \$6,700 per month. If an employee makes more than that amount they may still be compensated but at the lower daily rate of pay.
- υ If an employee was hired between July 1, 1988, and July 1, 2001, the salary for which they can receive payment is capped at \$4,200 per month. If an employee makes more than that amount they may still be compensated but at the lower daily rate of pay.
- υ Employee must contract with the Department of Administration and agree to reimburse the Employee Sick Leave Fund for the amount received plus 12% interest if they separate from employment within 60 months of the date of payment. Separation does not include death or retirement.
- υ If the Employee is paid from a source other than General Revenue, their Employer must reimburse the State Employee Sick Leave Fund for the money paid to the Employee. The Employer will be invoiced by the Department of Administration.
- υ The daily rate of pay is calculated by multiplying the monthly salary by twelve and dividing that number by the number of workdays for that calendar year. The Division of Personnel's calendar is to be used for determining the number of workdays in a calendar year. The calendar is distributed to agencies or may be found on the Division of Personnel's website.
- υ To request payment for unused sick leave the employee should fill out the Application for Unused Sick Leave & Reimbursement Agreement established by the Department of Administration. The employee must also provide tax forms (Form W-4 and WV/IT-104) along with the application. The employee should receive payment within one month of receipt of the certified application by the Department of Administration.
- υ The completed application and appropriate tax forms must be sent to Donna Lipscomb at 1900 Kanawha Boulevard, East, Building 1, Room E-119, Charleston, WV, 25305. For more detailed information call 558-3392.